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Chapter 7 Trustee  
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9 **UNITED STATES BANKRUPTCY COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 In re BENJA INCORPORATED, *aka* EPHE  
13 CORPORATION,

14 Debtor.

Case No. 20-30819-DM  
Chapter 7  
Hon. Dennis Montali

15 **REQUEST FOR ENTRY OF DEFAULT**  
16 **ORDER GRANTING CHAPTER 7**  
17 **TRUSTEE'S MOTION TO APPROVE**  
**COMPROMISE OF CONTROVERSY**  
**WITH DANIEL IAN WEINER**

18 A. Kyle Everett (the "Trustee"), the duly appointed Chapter 7 trustee of the bankruptcy  
19 estate of the above-captioned debtor ("Benja"), files this request for entry of a default order  
20 granting the *Chapter 7 Trustee's Motion to Approve Compromise of Controversy with Daniel Ian*  
21 *Weiner* (the "Motion"), ECF 157. This request is supported by the concurrently filed declaration  
22 of Ryan A. Witthans. In support of this request, the Trustee states as follows:

23 On May 30, 2023, the Trustee filed the Motion; the Trustee's supporting declaration  
24 including a copy of the *Settlement Agreement and Mutual Release*, ECF 157-1-2; and the *Notice*  
25 *and Opportunity for Hearing* (the "Notice"), ECF 158. The Notice was served on all NEF parties  
26 and individuals and entities on the Court's mailing matrix on May 30, 2023. ECF 159-60. The  
27 Notice indicated that anyone wishing to object to the proposed sale was required to do so by  
28 filing and serving a written objection no later than 21 days from the date on which the Notice

REQUEST FOR ENTRY OF DEFAULT ORDER

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1 was served. The last day for filing and serving objections was June 20, 2023. Counsel for the  
2 Trustee received no objections, and none were filed in the bankruptcy case.

3 Based on the foregoing, the Trustee requests entry of an order approving the Motion and  
4 providing as follows:

- 5 1. The Motion, ECF 157, is granted.
- 6 2. The *Settlement Agreement and Mutual Release*, ECF 157-2, is approved.
- 7 3. Without further Court order, the Trustee is authorized to take those actions that he  
8 deems appropriate to implement the relief requested in the Motion and ordered by the  
9 Court.

10  
11 Dated June 21, 2023

FINESTONE HAYES LLP

12 /s/ Rvan A. Witthans

13 Ryan A. Witthans  
14 Attorneys for A. Kyle Everett,  
Chapter 7 Trustee